

MUNSTER BOARD OF ZONING APPEALS

Nicholas Georgiou
Orthopedic Specialists of Northwest Indiana (ONSI)
9900 Columbia Avenue
Munster, IN 46321

BZA DOCKET NO. 23-014

FINDINGS OF FACT

This matter came on for Public Hearing on January 9, 2023. Applicant, Nicholas Georgiou, requests approval of six (6) Developmental Standards Variances: 1.) Building setbacks 2.) Building materials and frontage buildout 3.) Entrance standards 4.) Off street parking location 5.) Screening and 6.) Sidewalks at 9900 Columbia Avenue, Munster, Indiana.

Applicant presented testimony and evidence in support of the requested variances. The Public Hearing was opened. The Public Hearing was closed.

NOW, THEREFORE, based upon the testimony and evidence presented, the Munster Board of Zoning Appeals finds as follows with regard to Developmental Standards Variances 1., 3., and 4.:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

3. The strict application of the terms of the Zoning Ordinance will result in practical difficulties and undue hardship in the use of the property.

4. The Board of Zoning Appeals has given due consideration to those matters set forth in Sec. 26-456 of the Munster Municipal Code with regard to Developmental Standards Variances.

5. The Board of Zoning Appeals granted the applicant's request for Developmental Standards Variances: 1.) Building setbacks 3.) Entrance standards and 4.) Off-street parking location.

NOW, FURTHER THEREFORE, based upon the testimony and evidence presented, the Munster Board of Zoning Appeals finds as follows with regard to Developmental Standards Variances 2. and 6.:

1. The Applicant has not proven significant economic injury from the enforcement of the Zoning Ordinance.

2. The strict application of the terms of the Zoning Ordinance will not result in practical difficulties and undue hardship in the use of the property.

3. The Board of Zoning Appeals has given due consideration to those matters set forth in Sec. 26-456 of the Munster Municipal Code with regard to Developmental Standards Variances.

4. The Board of Zoning Appeals denied the Applicant's request for Developmental Standards Variances: 2.) Building materials and frontage buildout and 6.) Sidewalks.

WHEREFORE, based upon the above Findings, the Town of Munster Board of Zoning Appeals voted five (5) in favor and zero (0) opposed to approve the following requested variances: 1.) allowing an increase in the building setback 3.) allowing the primary entrance location to be along the drive aisle façade and 4.) allowing off-street parking in the first lot layer.

The Town of Munster Board of Zoning Appeals voted five (5) in favor and zero (0) opposed to deny the following requested variances: 2.) not allowing the use of EFIS as a building material and 6.) request from the required installation of public improvements, a sidewalk along the frontage and primary road.

The Town of Munster Board of Zoning Appeals voted five (5) in favor and zero (0) opposed to defer requested variance 5.) Screening (Enhanced hedge) to the Plan Commission.

Variances granted, denied and deferred January 9, 2024. Findings of Fact approved February 13, 2024.

MUNSTER BOARD OF ZONING APPEALS

Roland Raffin, Chairman

ATTEST:

Sergio Mendoza, Executive Secretary